



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



GERALD D. REID
COMMISSIONER

April 22, 2019

Mr. Robert Maher, Esq.
Assistant Section Chief, Environmental Enforcement Section
U.S. DOJ - ENRD
P.O. Box 7611
Washington D.C. 20044-7611

Re: *United States v. Global Partners L.P., et al.* D.J. Ref. No. 90-5-2-1-11428

Dear Mr. Maher:

Please accept this comment on the proposed consent decree lodged in *United States v. Global Partners L.P., et al.*, D.J. Ref. No. 90-5-2-1-11428.

On the evening of April 16, 2019, I attended a workshop with the South Portland City Council in my capacity as Commissioner of the Maine Department of Environmental Protection (DEP) to answer questions and address concerns of local residents about air quality in their community. The workshop included an opportunity for public comment. Dozens of residents took the opportunity to address the Council, some waiting for hours for the chance to speak for just two minutes, which was all the Council could offer each of them in light of the overflow crowd.

Most comments touched on one of a few themes. Residents have held concerns for years about air quality in South Portland due to the distinctive petrochemical odor that people regularly experience in the area, particularly near oil storage tanks. Many complained of headaches and other health effects they attribute to exposure to air contaminants. When City residents learned of EPA's enforcement action against Global Partners, their pre-existing concerns were heightened. Some interpret the case as confirmation of their worst fears — that emissions of Hazardous Air Pollutants from the City's oil storage facilities are excessive and represent a serious threat to public health. The level of their concern is high, and I do not believe it can be satisfactorily addressed by reference to the air monitoring data that is currently available.

The Supplemental Environmental Project in EPA's proposed consent decree would direct \$150,000 in civil penalty money to a wood stove replacement program in Cumberland County. From what I heard at the workshop, that project has no public support. Most commenters recommended that this money be devoted instead to an air monitoring program tailored to the unique circumstances in South Portland. Residents believe the data such a monitoring program

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would produce is necessary to resolve longstanding questions about the air quality in their community. I agree.

The Maine DEP stands ready to work with U.S. EPA to assist in the development and implementation of an ambient air quality monitoring program that is specific to South Portland's needs. In my judgment, such a program should be designed specifically to assess highly localized and intermittent emissions of Volatile Organic Compounds and Hazardous Air Pollutants that may be associated with loading, offloading, and storage at oil storage facilities. While \$150,000 is likely insufficient to fund such a program for the duration that will be required, U.S. EPA and Maine DEP should work together with the City of South Portland, Global Partners and other stakeholders to find the resources necessary to do this work and restore the public's confidence. I ask that you revise the proposed consent decree to eliminate the wood stove replacement project and redirect the money associated with it to an air monitoring program that is responsive to the concerns of South Portland residents.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerald D. Reid", with a stylized flourish at the end.

Gerald D. Reid
Commissioner

CC: Acting Regional Administrator Deb Szaro, US EPA Region I